

FILED

OCT 13 2020

COMPLAINT FORM
(for filers who are prisoners without lawyers)

CARMELITA REEDER SHINN, CLERK
U.S. DIST. COURT, WESTERN DIST. OKLA.
BY AB, DEPUTY

IN THE UNITED STATES DISTRICT COURT
FOR THE _____ DISTRICT OF _____

(Full name of plaintiff(s))

Marcus Dillard

vs

Case Number:

CIV-20-1037-PRW

(Full name of defendant(s))

(to be supplied by clerk of court)

FTC Oklahoma City Transfer
Center

A. PARTIES

1. Plaintiff is a citizen of Indiana ~~Tennessee~~, and is located at
(State)

1101 John A. Denie Memphis, TN 38134
(Address of prison or jail)

(If more than one plaintiff is filing, use another piece of paper).

2. Defendant _____
(Name)

is (if a person or private corporation) a citizen of Oaklahoma City, Ok
(State, if known)

and (if a person) resides at _____
(Address, if known)

and (if the defendant harmed you while doing the defendant's job)

worked for _____
(Employer's name and address, if known)

(If you need to list more defendants, use another piece of paper.)

B. STATEMENT OF CLAIM

On the space provided on the following pages, tell:

1. Who violated your rights;
2. What each defendant did;
3. When they did it;
4. Where it happened; and
5. Why they did it, if you know.

On August 28, 2020 I was held at the Federal
Transfer Center in Oklahoma City, OK waitin
g to be sent to FCI Memphis. This date we
were being served lunch which was a fish
patty, Cole slaw, and Corn. I recieved my tray
From Correctional Officer Marsh and an Inmate
worker whom I didn't get his name. My
Cellmate Ricky Dillard retrieved the trays
which were one hot and one cold which totaled
in 4 trays being handed in the cell 516 at

this time. I was handed my tray which was a brown plastic container with a clear plastic top of which were sealed by kitchen staff if I had to assume. Ricky Dillard handed me my hot and cold tray which I open and said me my usual pray before eating or preparing my food to be eaten. At the end of my prayer I open my spork package which contained salt and pepper packed applied the salt and pepper to my food and took a bite of my sandwich and proceeded to take a bite of coleslaw and I was chewing and crunched down into something hard of which I assumed it was a fish bone in the patty. But this seemed to be harder than normal, so I pushed the hard contents to the front of my mouth which poked a gash into my lip which caused me to just spit everything out of my mouth. Upon doing so I noticed it was not a bone but a piece of jagged metal which cracked my filling on the left side of my mouth.

C. JURISDICTION

☐ I am suing for a violation of federal law under 28 U.S.C. § 1331.

OR

☒ I am suing under state law. The state citizenship of the plaintiff(s) is (are) different from the state citizenship of every defendant, and the amount of money at stake in this case (not counting interest and costs) is \$100,000.00.

D. RELIEF WANTED

Describe what you want the court to do if you win your lawsuit. Examples may include an award of money or an order telling defendants to do something or stop doing something.

To hold them accountable for the lack of care taken
when I showed the Staff what was discovered. The
lack of interest taken as if I would endanger myself
in this manner. This could've done major internal
damage if consumed and damaged what little
teeth I have left. The Staff should examine
the Kitchen utensiles with ~~my~~ more proper
inspection and if they are old discard them.
I was a former cook and have a passion for
the Kitchen and these ~~thing~~ things should be
handled with care rather inmate or citizen
in the free world.

E. JURY DEMAND

- ☐ Jury Demand - I want a jury to hear my case
OR
☒ Court Trial - I want a judge to hear my case

Dated this 105 day of October 2020.

Respectfully Submitted,

Marcel Dillard

Signature of Plaintiff

17281-028

Plaintiff's Prisoner ID Number

FCT Memphis 1101 John A. Denie

Memphis, TN 38134

(Mailing Address of Plaintiff)

(If more than one plaintiff, use another piece of paper).

REQUEST TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING THE FILING FEE

- ☒ I DO request that I be allowed to file this complaint without paying the filing fee. I have completed a request to proceed in the district court without prepaying the fee and attached it to the complaint.
- ☐ I DO NOT request that I be allowed to file this complaint without prepaying the filing fee under 28 U.S.C. § 1915, and I have included the full filing fee with this complaint.

To be added that the FTC OK, OK has no grievance system and many of my complaints went unattended to for days also put in my request on the computer to Health Services, The Warden The Head of Medical, Food Services and many request were placed for many days until I recieved a BP-8 and nothing was taken care of. Then requested a BP-9 of which I was given the run around and never recieved at all and was transferred.

Names: CO. Marsh
CO. Santiago
CO. Edmonds
Lyons
Terrell
DD8. Upchurch

Departments: Food Services
Contacted Health Services
Warden